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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 KIEN LAM,

12 Plaintiff,

13 vs.

14 MIDLAND CREDIT MANAGEMENT,  
15 INC., a corporation; PATENAUDE &  
16 FELIX, a professional corporation;  
DAVID C. SCOTT, an individual; and  
Does 1 through 10, inclusive,

17 Defendants.  
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CASE NO. 06cv2621-LAB (WMC)

**ORDER DISMISSING ALL  
CLAIMS AGAINST MIDLAND  
CREDIT MANAGEMENT, INC.**

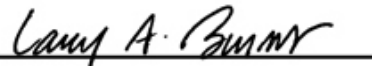
19 All Defendants have filed answers in this case. On January 4, 2007, Plaintiff and  
20 Defendant Midland Credit Management, Inc. filed a stipulation and proposed order to dismiss  
21 the action pursuant to Fed. R. Civ. P. 41(a)(1) as to Defendant Midland Credit Management,  
22 Inc. only.

23 The Court construes the stipulation as an *ex parte* joint motion. The parties are  
24 cautioned that under the e-filing policies and procedures now in force, stipulations are not  
25 to be e-filed. See Electronic Case Filing Administrative Policies and Procedures Manual,  
26 United States District Court for the Southern District of California, § 2(f)(4). The proper  
27 procedure is to e-file a joint motion. *Id.* Proposed orders are not to be filed; rather, they  
28 should be emailed directly to chambers, but only if requested by the Court. *Id.*, § 2(h).

1 Along with the joint motion, Plaintiff filed proof of service showing that all parties have  
2 been served. No party has filed an opposition or objection. The Court therefore **GRANTS**  
3 the joint motion and **DISMISSES** the action as to Defendant Midland Credit Management,  
4 Inc. only.

5 **IT IS SO ORDERED.**

6 DATED: January 19, 2007

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8 **HONORABLE LARRY ALAN BURNS**  
9 United States District Judge